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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
9

10 LAUREN KETTELL,

Case No. 3:12-cv-00297 HDM-WGC

11
12 Plaintiff,

**JOINT STIPULATED DISCOVERY PLAN
AND SCHEDULING ORDER**

13 vs.

14 WASHOE COUNTY DEPUTY
15 BRENT COSS,

16 Defendant.
17
18 _____/

19 Plaintiff, LAUREN KETTELL, by and through counsel, Terri Keyser-Cooper, and Defendant,
20 BRENT COSS, by and through counsel David Creekman, Assistant District Attorney of the Washoe
21 County District Attorney's Office, in compliance with the requirements of Rule 26-1(e) of the Local
22 Rules of Practice of the United States District Court for the District of Nevada submit the following
Joint Stipulated Discovery Plan and Scheduling Order.

23 The Discovery Plan and Scheduling Order is entered pursuant to Rule 16-1 of the Local Rules
24 of Practice of the United States District Court for the District of Nevada with slight amendments to the
25 rules to accommodate counsels' work, mandatory work commitments, and pre-arranged vacation
26 times.

27 **1. Discovery Cut-Off Date:** Unless otherwise ordered pursuant to L.R. 26-1(e), discovery
28 in this action shall be completed within one hundred eighty (180) days from the filing of the Answer.

1 Although the Answer in the above-entitled case was filed and served by defendant on August 20, 2012
2 slightly additional discovery time is warranted. Therefore, it is ordered that discovery in this action
3 shall be completed by **April 10, 2013**.

4 **2. Amendment of Pleadings and Adding Parties:** Any and all pleadings brought under
5 Rule 13 and Rule 14 of the Federal Rules of Civil Procedure and any and all amendments to pleadings
6 as provided for under Rule 15 of the Federal Rules of Civil Procedure, if the same are allowed without
7 leave of the court, or motions for leave to amend, and join additional parties under Rule 19 and Rule 20
8 of the Federal Rules of Civil Procedure, shall be filed and served not later than ninety (90) days prior to
9 the close of discovery, and therefore are required to be filed in this action in accordance with L.R. 26-
10 1(e)(2) on or before **January 2, 2013**. Any party causing additional parties to be joined or brought into
11 this action shall contemporaneously therewith cause a copy of this Discovery Plan and Scheduling
12 Order to be served upon the new party or parties.

13 **3. Discovery of Experts:** Pursuant to L.R. 26-1(e)(3) the disclosure of experts required
14 by Rule 26(a)(2) of the Federal Rules of Civil Procedure shall be made not less than sixty (60) days
15 prior to the completion of discovery. Slightly additional time is necessary to accommodate counsels'
16 schedules, therefore, the initial disclosures of experts in this case shall be completed on or before
17 **February 20, 2013**. Pursuant to Rule 26-1(e)(3) the disclosure of rebuttal experts shall be made no
18 later than thirty (30) days prior to the completion of discovery. Thus, disclosure of rebuttal experts shall
19 be completed by **March 20, 2013**.

20 **4. Interim Status Report.** Pursuant to L.R. 26-3, the due date for the Interim Status
21 Report is agreed not to be later than sixty (60) days before the discovery cut-off date. Slightly
22 additional time is necessary to accommodate counsels' schedules, therefore, the Interim Status Report
23 shall be filed on **February 20, 2013**.

24 **5. Dispositive Motions:** Pursuant to L.R. 26-1(e)(4), dispositive motions, including
25 motions brought under Rule 12 and Rule 56 of the Federal Rules of Civil Procedure, shall be filed and
26 served not later than thirty (30) days after close of discovery. Dispositive motions in this case shall be
27 filed and served on or before **May 10, 2013**.

28 **6. Pretrial Order:** Pursuant to L.R. 26-1(e)(5), the joint pretrial order shall be filed not
less than thirty (30) days after the date set for the filing of dispositive motions. Therefore, the joint
pretrial order in this case shall be filed on or before **June 10, 2013**. This deadline is suspended if a
dispositive motion is filed.

1 **7. Disclosure of Materials for Trial Preparation:** Pursuant to L.R. 26-1(e)(6), all
 2 disclosures required by Rule 26(a)(3) of the Federal Rules of Civil Procedure and any objections
 3 thereto, shall be included in the Joint Pretrial Order required to be filed 30 days after the filing of
 4 dispositive motions, in this case on or before **June 10, 2013**. This deadline is suspended if a
 5 dispositive motion is filed.

6 **8. Extension and Reopening of Discovery:** Pursuant to L.R. 26-4, an extension of the
 7 discovery deadline of April 10, 2013, or the reopening of discovery after that date will not be allowed
 8 without showing a good cause why all discovery was not completed within the time allotted by this
 9 Discovery Plan and Scheduling Order. All initial motions or stipulations to extend discovery shall be
 10 received by the court at least (20) days prior to the date fixed for the completion of discovery, and
 11 such motions or stipulations shall be received by the court on or before **March 29, 2013**. Subsequent or
 12 additional motions or stipulations to extend the time for discovery shall be received by the court at least
 13 twenty (20) days prior to the expiration of any other extension of discovery that may have been
 14 approved by the court. The motion or stipulation shall include:

- 15 (a) A statement specifying the discovery completed;
- 16 (b) A specific description of the discovery that remains to be completed;
- 17 (c) The reasons why discovery remaining was not completed within the time limits set by the
 18 discovery plan; and
- 19 (d) A proposed schedule for completing all remaining discovery.

20 Dated this 4th day of October 2012.

21 /s/ Terri Keyser-Cooper
 22 TERRI KEYSER-COOPER, ESQ.
 23 *Attorney for Plaintiff Lauren Kettell*

24 /s/ David Creekman
 25 DAVID CREEKMAN,
 26 CHIEF DEPUTY DISTRICT ATTORNEY
 27 *Attorneys for Defendant Brent Coss*

28 **IT IS SO ORDERED**

 U.S. MAGISTRATE JUDGE

Dated: _____